

Fill in this information to identify the case:

Debtor 1	<u>Brian M Smith</u>
Debtor 2	<u></u>
(Spouse, if filing)	<u></u>
United States Bankruptcy Court for the : <u>Eastern</u>	District of <u>Pennsylvania</u>
(State)	
Case number	<u>18-12284-ELF</u>

## Official Form 410S1

# Notice of Mortgage Payment Change

12/15

If the debtor's plan provides for payment of postpetition contractual installments on your claim secured by a security interest in the debtor's principal residence, you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment amount is due. See Bankruptcy Rule 3002.1.

Name of creditor: M & T Bank

Court claim no. (if known): 3

Last four digits of any number you use to identify the debtor's account: XXXXXX9182

Date of payment change:  
Must be at least 21 days after date of this notice 12/1/2021

New total payment:  
Principal, interest, and escrow, if any \$1,192.97

### Part 1: Escrow Account Payment Adjustment

1. Will there be a change in the debtor's escrow account payment?

No

Yes. Attach a copy of the escrow account statement prepared in a form consistent with applicable nonbankruptcy law. Describe the basis for the change. If a statement is not attached, explain why: \_\_\_\_\_

Current escrow payment: \$ 302.12

New escrow payment : \$ 366.27

### Part 2: Mortgage Payment Adjustment

2. Will the debtor's principal and interest payment change based on an adjustment to the interest rate in the debtor's variable-rate account?

No

Yes. Attach a copy of the rate change notice prepared in a form consistent with applicable nonbankruptcy law. If a notice is not attached, explain why: \_\_\_\_\_

Current interest rate: %

New interest rate: %

Current principal and interest payment: \$ \_\_\_\_\_

New principal and interest payment: \$ \_\_\_\_\_

### Part 3: Other Payment Change

3. Will there be a change in the debtor's mortgage payment for a reason not listed above?

No

Yes. Attach a copy of any documents describing the basis for the change, such as repayment plan or loan modification agreement. (Court approval may be required before the payment change can take effect.)

Reason for change: \_\_\_\_\_

Current mortgage payment: \$ \_\_\_\_\_

New mortgage payment: \$ \_\_\_\_\_

Debtor 1

Brian M Smith  
First Name Middle Name Last Name

Case number (if known) 18-12284-ELF

**Part 4:**

**Sign Here**

The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number.

*Check the appropriate box.*

I am the creditor.  
 I am the creditor's authorized agent

**I declare under penalty of perjury that the information provided in this Notice is true and correct to the best of my knowledge, information, and reasonable belief.**

X /s/Kinnera Bhoopal  
Signature

Date 11/08/2021

Print: Kinnera Bhoopal  
First Name Middle Name Last Name Title Authorized Agent for Creditor

Company McCalla Raymer Leibert Pierce, LLC

Address 1544 Old Alabama Road  
Number Street  
Roswell GA 30076  
City State ZIP Code

Contact phone (312) 348-9088 X5172 Email Kinnera.Bhoopal@mccalla.com

In Re:  
Brian M Smith

Bankruptcy Case No.: 18-12284-ELF  
Chapter: 13  
Judge: Eric L. Frank

CERTIFICATE OF SERVICE

I, Kinnera Bhoopal, of McCalla Raymer Leibert Pierce, LLC, 1544 Old Alabama Road, Roswell, GA 30076, certify:

That I am, and at all times hereinafter mentioned, was more than 18 years of age;

That on the date below, I caused to be served a copy of the within NOTICE OF MORTGAGE PAYMENT CHANGE filed in this bankruptcy matter on the following parties at the addresses shown, by regular United States Mail, with proper postage affixed, unless another manner of service is expressly indicated:

Brian M Smith  
3409 Vista Street  
Philadelphia, PA 19136

TERESA BRADY  
Law Offices of Teresa Brady, P.C.  
210 East Girard Avenue  
Philadelphia, PA 19125

*(served via ECF Notification)*

KENNETH E. WEST  
Office of the Chapter 13 Standing Trustee  
1234 Market Street - Suite 1813  
Philadelphia, PA 19107

*(served via ECF Notification)*

United States Trustee  
Office of the U.S. Trustee  
200 Chestnut Street, Suite 502  
Philadelphia, PA 19106

*(served via ECF Notification)*

I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed on: 11/09/2021 By: /s/Kinnera Bhoopal  
(date) Kinnera Bhoopal  
Authorized Agent for Creditor

## Contact Us

 Customer Service:	1-800-411-7627
 Property Tax:	1-866-406-0949
 Property Insurance:	1-888-882-1847
 Home Purchase or Refinancing:	1-800-479-1992
 NMLS #381076	

 Correspondence Address:	PO BOX 1288 BUFFALO, NY 14240-1288
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 <https://onlinebanking.mtb.com>

Loan Number:   
Property Address: 3409 VISTA STREET  
PHILADELPHIA PA, 19136

Statement Date: 10/14/21

Dear Customer,

As your mortgage partner, we strive to exceed your servicing expectations. We are providing you with the following review to ensure there is enough money available in your account to cover any upcoming property tax and/or homeowners insurance payments. Please refer to our Frequently Asked Questions enclosure, or call one of the appropriate customer service numbers referenced above with any questions or concerns.

**Based on our review, you do not have enough money in your escrow account. Your payment is changing.**

This escrow shortage was caused by changes in your taxes, insurance or escrow payments. Your Account History, page 2, shows what has already happened on your account. To see what we anticipate happening with your account over the next 12 months, turn to Projected Escrow Payments, page 3.

### Your Mortgage Payment Options

#### Option 1

Pay your escrow shortage in full using the coupon below or at [onlinebanking.mtb.com](https://onlinebanking.mtb.com).

Payment Information	Current Monthly Payment	New Monthly Payment beginning on 12/01/2021
Principal & Interest: \$826.70		\$826.70
Escrow Payment: \$302.12		\$344.18
Escrow Shortage: \$0.00		\$0.00
Total Payment: \$1,128.82		\$1,170.88

OR

#### Option 2

Spread your escrow shortage of \$265.03 over the next 12 months. No action needed.

Payment Information	Current Monthly Payment	Pay Shortage Over 12 months beginning on 12/01/2021
Principal & Interest: \$826.70		\$826.70
Escrow Payment: \$302.12		\$344.18
Escrow Shortage: \$0.00		\$22.09
Total Payment: \$1,128.82		\$1,192.97

INTERNET REPRINT

**M&T Bank**

### ESCROW SHORTAGE COUPON

Loan Number: 

Once your escrow shortage is applied, the payment amount will be adjusted in accordance with Option 1 referenced above. Your monthly mortgage payment may still increase once the escrow account is paid.

#### Payment Amount

Amount Due: **\$265.03**

M&T BANK  
PO BOX 64787  
BALTIMORE MD 21264-4787

By comparing the actual escrow activity with the previous projections listed, you can determine where a difference may have occurred. If you have any questions about this statement, please call our Customer Service Department toll free at 1-800-411-7627.

Month	Projected Payment to Escrow	Actual Payment to Escrow	Description	Projected Disbursement	Actual Disbursement	Projected Balance	Actual Balance
<b>Beginning Balance</b>							
Dec 20	\$302.12	*	Hazard Ins	\$1,951.39	*	\$3,323.32	-\$525.51
Jan 21	\$302.12	\$1,001.13 *				\$1,674.05	-\$525.51
Feb 21	\$302.12	\$302.12	City/Village	\$1,674.05	\$1,690.96 *	\$604.24	-\$913.22
Mar 21	\$302.12	\$539.18 *				\$906.36	-\$374.04
Apr 21	\$302.12	\$269.59 *				\$1,208.48	-\$104.45
May 21	\$302.12	\$302.12				\$1,510.60	\$197.67
Jun 21	\$302.12	\$302.12				\$1,812.72	\$499.79
Jul 21	\$302.12	\$604.24 *				\$2,114.84	\$1,104.03
Aug 21	\$302.12	\$302.12				\$2,416.96	\$1,406.15
Sep 21	\$302.12	\$302.12				\$2,719.08	\$1,708.27
Oct 21	\$302.12	\$1,510.60 *				\$3,021.20	\$3,218.87
Nov 21	\$302.12	\$302.12				\$3,323.32	\$3,520.99

The total amount of escrow payments received during this period was \$5,737.46 and the total escrow disbursements were \$1,690.96.

An asterisk (\*) indicates a difference from a previous estimate either in the date or the amount of the deposit/disbursement.

\*\* This section may also reflect anticipated escrow activity that has not yet occurred prior to the effective date of this analysis.

**Borrower Paid Mortgage Insurance Premium:** Your mortgage loan requires a borrower paid mortgage insurance premium ("MIP"). MIP is insurance from the Federal Housing Administration ("FHA") that protects lenders against loss in the event a borrower defaults on a mortgage.

**Effective for all loans closed on or after January 1, 2001, FHA annual MIP will be automatically cancelled under the following conditions:**

**Loans with FHA case numbers assigned before June 3, 2013:**

- Mortgage loan terms greater than 15 years: the annual MIP will be cancelled when the loan to value ratio reaches 78%, provided the mortgagor has paid the annual mortgage insurance premium for at least five years.
- Mortgage loan terms less than or equal to 15 years with a loan to value ratio greater than 78%: the annual MIP will be cancelled when the loan to value ratio reaches 78%.

**FHA will determine when you have reached the 78% loan to value ratio based on the lower of the sales price or appraised value at origination.** New appraised values will not be considered. Cancellation of the annual mortgage insurance premium will normally be based on the scheduled amortization of the loan. However, in cases where additional payments have been applied to the loan balance as a prepayment, cancellation can be based on the actual amortization of the loan. If you have prepaid and believe you have met the requirements for cancelling the FHA insurance, please send a written request to us at P.O. Box 1288, Buffalo, NY 14240.

**Loans with FHA case numbers assigned on or after June 3, 2013:**

- Mortgage loan terms greater than 15 years with loan to value ratio greater than 90%: duration of the annual MIP is the loan term.
- Mortgage loan terms greater than 15 years with loan to value ratio less than or equal to 90%: duration of the annual MIP is 11 years.
- Mortgage loan terms less than or equal to 15 years with loan to value ratio greater than 90%: duration of the annual MIP is the loan term.
- Mortgage loan terms less than or equal to 15 years with loan to value ratio less than or equal to 90%: duration of the annual MIP is 11 years.

M&T Bank is attempting to collect a debt and any information obtained will be used for that purpose. To the extent your original obligation was discharged, or is subject to an automatic stay of bankruptcy under Title 11 of the United States Code, this statement is for compliance and/or informational purposes only and does not constitute an attempt to collect a debt or to impose personal liability for such obligation. However, M&T Bank retains rights under its security instrument, including the right to foreclose its lien.

## Projected Disbursements Over the Next 12 Months

## Anticipated Annual Disbursements

Hazard Ins:	\$2,439.24
City Tax:	\$1,690.96
Total:	\$4,130.20

The cushion allowed by federal law (RESPA) is two times your monthly escrow payment (excluding MIP/PMI), unless state law specifies a lower amount.

## Projected Escrow Balance Summary

M&T Bank expects to pay \$4,130.20 over the next 12 months.
Here's how to calculate your new monthly escrow payment:
Total Taxes and Insurance: \$4,130.20
Divided by 12 months: \$344.18

\*New Monthly Escrow Payment: \$344.18

Projections for the coming year: The following summary shows anticipated activity in your escrow account for the next twelve months, which was used to calculate your payment above.

Month	*Monthly Escrow Payment	Amount Scheduled to be Paid	Description	Projection Based On Current Balance	Projection Based On Required Balance
			Beginning Balance	\$3,520.99	\$3,786.02
Dec 21	\$344.18	\$2,439.24	Hazard Ins	\$1,425.93	\$1,690.96
Jan 22	\$344.18			\$1,770.11	\$2,035.14
<b>Feb 22</b>	<b>\$344.18</b>	<b>\$1,690.96</b>	<b>City/Village</b>	<b>\$423.33</b>	<b>\$688.36</b>
Mar 22	\$344.18			\$767.51	\$1,032.54
Apr 22	\$344.18			\$1,111.69	\$1,376.72
May 22	\$344.18			\$1,455.87	\$1,720.90
Jun 22	\$344.18			\$1,800.05	\$2,065.08
Jul 22	\$344.18			\$2,144.23	\$2,409.26
Aug 22	\$344.18			\$2,488.41	\$2,753.44
Sep 22	\$344.18			\$2,832.59	\$3,097.62
Oct 22	\$344.18			\$3,176.77	\$3,441.80
Nov 22	\$344.18			\$3,520.95	\$3,785.98

## Escrow Requirements, New Mortgage Payment and Anticipated Annual Disbursements

Projected Beginning Balance	\$3,520.99
-Required Minimum Balance	\$3,786.02
Escrow Shortage Amount	\$265.03

Your lowest monthly escrow balance for the next 12 months should reach \$688.36, which equals a total of two months escrow payment. To reach this balance, your required escrow amount after your 11/21 payment should be \$3,786.02, whereas your actual escrow balance is \$3,520.99. The difference, \$265.03, represents the amount needed in your escrow account and will be spread over the next 12 payments unless this amount is paid in full.

\*Based on these calculations for the coming year, if you pay your escrow amount in full your new total payment amount effective 12/01/21 will be the amount reflected in Option 1 on Page 1 of this statement. If you choose to spread the escrow amount over the next 12 payments your total payment amount will be the amount reflected in Option 2 of Page 1 of this statement.

**MORTGAGOR GUIDE TO FREQUENTLY ASKED ESCROW ANALYSIS QUESTIONS**

**• Why am I receiving this escrow analysis statement?**

Mortgage lenders are required by regulations to perform an annual review of your account and provide a hard copy statement for your records.

**• What is an escrow account?**

An escrow account is an account created for the borrower that is used to pay any property taxes, homeowner's insurance and/or flood insurance (if applicable). As each mortgage payment is made, a dedicated portion is added to the escrow account to pay taxes and/or insurance.

**• What is an escrow payment?**

The portion of your monthly payment that is held and used to pay your escrowed items as they become due.

**• How is my escrow payment determined?**

The calculation used to determine the escrow portion of your payment is:

$$\begin{array}{r}
 12 \text{ months of escrow payments} \\
 + \text{Reserve*} \\
 \hline
 \div 12 \\
 \hline
 = \text{Escrow payment}
 \end{array}$$

We gather the anticipated payments that are to be paid in the next 12-month time frame from when the escrow analysis was performed. These payments may either be known, based on the prior year's payments, or based on payments of similar residential properties. We forecast any anticipated increase or decrease and account for any existing escrow account balance. We collect 1/12th of this amount monthly.

\* An escrow reserve, also known as a cushion, is the amount of money collected to cover any unanticipated increases in your real estate tax or insurance premium payment. It acts as a buffer and helps to prevent your escrow account from being overdrawn. An escrow reserve exists on your account unless your mortgage documents or state law applies and is generally a two-month cushion.

**• Will my escrow payment amount remain the same if I remit the entire shortage amount at once?**

Paying the full shortage amount will adjust your account resulting in the smallest possible increase in your monthly mortgage payment amount. It's important to keep in mind that any increase in your real estate tax amounts and/or insurance premium(s) may cause your payment amount to change even if you pay your shortage amount.

**• Am I required to pay the escrow shortage amount in full?**

No, you are not required to pay the escrow shortage in full. If you choose not to remit a payment in full, the escrow shortage will be equally spread over 12 months of payments.

**• If I want to remit the full escrow shortage amount, what do I need to do?**

You are not required to remit the full escrow shortage amount; however, if you choose to do so, you have two options:

– **Online:** Log in to M&T Online or Mobile Banking, select your mortgage account and click the "Pay Now" button. Your mortgage loan must be current to use this option.

– **By Mail:** Send a check made payable to M&T Bank and indicate on the memo line that you are making an escrow shortage payment. Please mail the check to: M&T Bank, Escrow Department, P.O. Box 64787, Baltimore, MD 21264-4787. If you are paying your escrow shortage, the funds will be applied immediately, however your mortgage statement may not reflect changes until the analysis effective date.

**• Why did my monthly escrow payment amount change?**

Your payment may have increased for several reasons. Some of the most common reasons are:

- Increases in your property taxes and/or insurance premiums
- Increases in your property's tax assessment
- Changes in your insurance carrier
- Changes in your Tax due date
- Fewer deposits to escrow than expected

**TIP: Municipalities offer a few common tax exemptions for disability, homestead, senior and veteran status. Check with your local tax office to see if you are eligible for these, or any other exemptions.**

**• Why didn't my payment go down when my taxes or insurance did?**

The tax and/or insurance figures used for your analysis calculation are based on last amount(s) paid, or, where applicable, from your prior servicer or from your closing documents. If you have received more recently updated information from your tax assessor, please forward it to eta@mtb.com.

**• Information regarding insurance**

Hazard insurance, also referred to as homeowner's insurance, is an insurance policy purchased to protect your property from certain hazards such as fire and theft. Policy coverage may vary. See your insurance policy information for details regarding your specific coverage(s).

If you decide to change your insurance carrier, please send the new policy information to: M&T Bank, It's Successors and/or Assigns, P.O. Box 5738, Springfield, OH 45501-5738. Or submit online at mycoverageinfo/mtb.com.

**• Do I need to send my tax and insurance bills each time they're due?**

M&T receives the tax information directly from your municipality. Unless requested, you do not need to send them in. Tax bills are typically paid two to three weeks prior to the due date. If you want a supplemental, interim, or added assessment tax bill paid by us, you will need to forward it to eta@mtb.com.

M&T receives insurance information directly from your carrier. However, if you change insurance carriers, please go to mycoverageinfo/mtb.com to update your insurance information.

**If you have additional questions, please call us at 1-800-411-7627 Monday–Friday, 8:30am–9pm ET and we'll be happy to help.**

**We appreciate your business.**

**Thank you for giving us the opportunity to serve your financial needs.**

